

REMARKS

Applicant submits that the present amendment is fully responsive to the Office Action dated May 27, 2009 and, thus, the application is in condition for allowance.

By this reply, claims 1, 4, 6, 9, 16, 19 and 21 are amended. Claims 1-2, 4-11, 13-17, and 19-23 remain pending. Of these, claims 1, 9 and 16 are independent. An expedited review and allowance of the application is respectfully requested.

In the outstanding Office Action, the disclosure was objected to because of an informality. Applicant cannot locate the cited informality in the application as filed or the published application. In fact, the published application shows a correct spelling of the word "Technical" and, thus, the objection should be withdrawn.

In the outstanding Office Action, claims 4, 6, 19, and 21 were objected to as depending on cancelled claims 3 and 18. These claim dependencies have been corrected and should now be allowable.

In the outstanding Office Action, claims 1, 2, 4-11, 13-17, and 19-23 were rejected under 35 U.S.C. § 102(e) as being anticipated by Egli (2003/0110234). It is asserted that Egli discloses a method and apparatus with all of the features of the pending claims. Applicant respectfully traverses.

Neither Egli, nor any other related art of record, alone or in combination, discloses or fairly suggests the present invention as recited in the pending claims. For example, Egli fails to teach comparing information, including a header type, a header order, and a header content, of a request by client logic with a known pattern of information for the client logic to determine whether a device making the request is authorized to receive at least one of content and software, the comparing accomplished by the HTTP proxy, wherein the header type, the header order, and

the header content strongly identify the client logic. This feature is present in each of the independent claims and is described, for instance, on page 10 of the specification. Egli discloses using headers to determine the capabilities of a device (Egli, Paragraph [0075]). The only header, if any, of Egli that is used to determine a user's authorization at all is the User-Agent heading. In contrast, the present invention as recited in the pending claims allows a higher level of authentication and control by having a header type, header order, and header content together as an identifier to distinguish one user from another. Such pattern may be random and only known to the server. Thus, it cannot be easily guessed or copied. Under Egli, client logic may be spoofed by unauthorized client logic. The only type of authorization for the user under Egli is the User-Agent heading, which may be altered by an unauthorized client logic misidentifying itself. Egli provides for a flawed approach that the present invention solves. The present invention uses a request comprising particular headers, in a particular sequence, comprising particular values. The particular headers, sequence of the particular headers, and content of the particular headers provided in the request strongly identifies a particular client logic such that only that particular client logic is authorized. Egli only uses a User-Agent heading for authorization, with other headers used to show capabilities of the device, not whether it is authorized. Therefore, Egli uses headers in an entirely different manner than the present invention. Thus, because Egli does not disclose this feature, Egli cannot possibly anticipate or obviate the pending claims. For at least this reason, the rejections should be withdrawn.

Because Egli does not teach all of the elements in the independent claims, the dependent claims, which depend therefrom, also are patentably distinct from any prior art of record. For this reason, Applicant respectfully requests withdrawal of the rejection.

No extension of time is believed necessary to enter this amendment. If any other fees are associated with the entering and consideration of this amendment, please charge such fees to our Deposit Account 50-2882.

Applicant respectfully requests an interview with the Examiner to present more evidence of the unique attributes of the present invention in person. As all of the outstanding rejections have been traversed and all of the claims are believed to be in condition for allowance, Applicant respectfully requests issuance of a Notice of Allowance. If the undersigned attorney can assist in any matters regarding examination of this application, Examiner is encouraged to call at the number listed below.

Respectfully submitted,

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